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General Assembly

Sixty-fourth session

Official Records

113rd plenary meeting
Wednesday, 25 August 2010, 10 a.m.
New York

President: Mr. Ali Abdussalam Treki ..... (Libyan Arab Jamahiriya)

The meeting was called to order at 10.20 a.m.

Tribute to the memory of His Excellency Mr. Guido de Marco, President of the General Assembly at its forty-fifth session, and His Excellency Mr. Samir Shihabi, President of the General Assembly at its forty-sixth session

The President (*spoke in Arabic*): Before we take up the items on our agenda for this morning, it is my sad duty to inform members of the Assembly of the passing on 12 August 2010 of His Excellency Guido de Marco, former President of Malta and President of the General Assembly at its forty-fifth session, as well as the passing on 20 August 2010 of our dear brother, His Excellency Samir Shihabi, former diplomat of Saudi Arabia and President the General Assembly at its forty-sixth session.

I had the honour of knowing the two former Presidents of the General Assembly, whose friendship and association I value deeply and will continue to cherish and remember always.

His Excellency Professor Guido de Marco was born in Malta in 1931 and led a remarkable life of dedication and service to both his country and the international community. Professor de Marco was elected President of Malta in 1999, and also held the titles of Deputy Prime Minister and Minister for Foreign Affairs. He will be remembered, among many things, for his leadership in promoting Euro-Mediterranean dialogue for the enhancement of regional security and cooperation.

As President of the General Assembly, Professor De Marco initiated dialogue on the revitalization of the General Assembly, an objective that continues to be of critical importance to the United Nations today.

On behalf of all Member States, and on my own account, I should like to convey heartfelt condolences to the bereaved family of the late Professor De Marco and to the people and the Government of Malta.

His Excellency Mr. Samir Shihabi was born in Jerusalem in 1925. He had a long and distinguished career in foreign policy and diplomacy. He began working for the Saudi Ministry of Foreign Affairs in 1949 and held diplomatic posts including in Turkey, Switzerland, Somalia, Italy and Pakistan. In 1983, Mr. Shihabi was appointed as Saudi Arabia's Permanent Representative to the United Nations. As President of the General Assembly, Mr. Shihabi made an outstanding contribution to the Organization and its progress towards achieving the purposes of the Charter. Mr. Shihabi was also the founder of the Council of Presidents of the General Assembly.

On behalf of all Member States and on my own account, I should like to convey heartfelt condolences to the bereaved family of the late Mr. Shihabi and to the people and the Kingdom of Saudi Arabia.

I now invite representatives to stand and observe a minute of silence in tribute to the memory of His Excellency Professor Guido de Marco, President of the General Assembly at its forty-fifth session, and His Excellency Mr. Samir Shihabi, President of the General Assembly at its forty-sixth session.

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The members of the General Assembly observed a minute of silence.

The President (*spoke in Arabic*): I now give the floor to the Secretary-General, His Excellency Mr. Ban Ki-moon.

The Secretary-General: It is always sad to mount this podium to mourn the passing of a former colleague. Today's memorial is especially poignant as we pay tribute to two men who played important roles here in this great Hall. They left their marks in consecutive years, at the forty-fifth and forty-fifth sessions of the General Assembly. They helped to steer us through a time of transition for the world and for the United Nations. For that, and much else, we remember them with great fondness and admiration.

Long before I became Secretary-General, our paths crossed, at least in a manner of speaking. It was 1991. I was working in my country's Foreign Ministry. In May of that year, as President of the General Assembly, Guido de Marco visited Seoul and the Democratic People's Republic of Korea as part of efforts towards United Nations membership for both States. Then, four months later, on His Excellency Mr. Samir Shihabi's first day as President of the General Assembly, the flags of the Republic of Korea and the Democratic People's Republic of Korea were raised here for the first time.

Of course, the careers of both men encompassed far more than matters involving the Korean peninsula. Guido de Marco was not just a former President of the General Assembly; he also served as President of his country, the capstone of a long career in public service. He led Malta into the European Union and sought to ensure that his country played an active role in international affairs. I know from my own visit to Malta last year the high regard in which he was held. At this time of loss, my thoughts and prayers are with his family and with the people of Malta.

I also offer my condolences to the family of the late Samir Shihabi and to the people of Saudi Arabia. In addition to his outstanding diplomatic service to his country, Mr. Shihabi was a dynamic presence here at United Nations Headquarters, not least because of his trademark walking sticks. As his country's Permanent Representative for nearly a decade and as President of the General Assembly, he contributed across our agenda, including to the revitalization of the Assembly itself. He will also be remembered for founding the Council of Presidents of the General Assembly and the International Association of Permanent Representatives. I benefited greatly from his vision and experience and always looked forward to his company.

We are full of sorrow today, but we also recognize the tremendous good they did for us and among us. I hope that legacy is at least some solace to all those touched by this loss.

The President (*spoke in Arabic*): I thank the Secretary-General for his statement.

I now give the floor to the representative of Cambodia, who will speak on behalf of the Group of Asian States.

Mr. Sea (Cambodia): On behalf of all members of the Group of Asian States, I would like to extend our deepest condolences to the Government and the people of Malta on the demise of Professor Guido de Marco, the late President of Malta. Our condolences go also to the bereaved family of the late President during this time of loss.

Professor Guido de Marco will be remembered by the peoples of the world as a great statesman. Well known for his strong political abilities and for his remarkable performance throughout his long career, his name will go down in history as being that of the distinguished person who brought about Malta's membership in the European Union.

During his tenure at the United Nations as President of the General Assembly at its forty-fifth session, in 1990-1991, Professor Guido de Marco was actively involved in the revitalization of the General Assembly and other aspects of reform of our world Organization. Furthermore, he played a crucial role in the admission to the United Nations of three important States of our Asian Group today, namely, the Democratic People's Republic of Korea, the Marshall Islands and the Republic of Korea.

The Group of Asian States is also deeply saddened to learn that Ambassador Samir Shihabi, the President of the General Assembly at its forty-sixth session, passed away five days ago, on Friday, 20 August. On behalf of the Group, I would like to convey our profound condolences to the Government and the people of Saudi Arabia, as well as to the members of the late President's family.

Ambassador Samir Shihabi was a long-serving and skilful diplomat in the foreign service of Saudi Arabia. After many diplomatic assignments, he was appointed Permanent Representative of his country to the United Nations in 1983 and was elected President of the General Assembly at its forty-sixth session, in 1991. He was the founder of the International Association of Permanent Representatives to the United Nations and was twice elected as President of that organization. He will be remembered by all delegates and Permanent Representatives to the United Nations for this very important contribution.

Before I conclude, I would like to take this opportunity to express, once again, on behalf of the Group of Asian States, our most sincere condolences and deepest sympathies to the families of the late Presidents of the General Assembly at its forty-fifth and forty-sixth sessions, as well as to the peoples of their countries, Malta and Saudi Arabia.

The President (*spoke in Arabic*): I now give the floor to the representative of Bosnia and Herzegovina, who will speak on behalf of the Group of Eastern European States.

Mr. Barbalić (Bosnia and Herzegovina): As Chairman of the Eastern European Group for the month of August, I have the sad duty of extending our heartfelt condolences at the loss of two great diplomats who contributed in many capacities to the realization of the ideals and objectives enshrined in the Charter of the United Nations.

Professor Guido de Marco was President of Malta from 1999 to 2004, following appointments as Minister of the Interior and Justice, Minister for Foreign Affairs and Deputy Prime Minister. During his tenure, Professor De Marco introduced several bills in the House of Representatives intended to incorporate important conventions, including the European Convention on Human Rights, into domestic law. As Minister for Foreign Affairs he submitted Malta's application for membership of the European Community in Brussels. In 1990, Professor de Marco was elected President of the General Assembly for its forty-fifth session. During that time he initiated a dialogue that revitalized the Organization and introduced other aspects of necessary reform during a time of transition in international relations. His efforts were in many cases instrumental in the adoption of important resolutions of the General Assembly dealing with a wide array of issues.

Mr. Samir Shihabi, who served as Professor De Marco's successor, had been for many years the Permanent Representative of Saudi Arabia to the United Nations. He also played a leading role in establishing the International Association of Permanent Representatives to the United Nations and was twice elected President of the Association. As a lifelong diplomat, Mr. Shihabi participated as Chairman, Vice-Chairman or member of delegation of Saudi Arabia to numerous United Nations and other international conferences, including those of the Organization of the Islamic Conference, the League of Arab States, the Non-Aligned Movement and the Group of 77 developing nations. As President of the General Assembly, Mr. Shihabi played an outstanding role in the Organization and made a major contribution towards the achievement of the objectives set forth in the Charter.

We extend our sincerest sympathy to the families, friends and home countries of these excellent diplomats. The entire United Nations community mourns the loss of two good friends and very efficient former Presidents of the General Assembly.

The President (*spoke in Arabic*): I now give the floor to the representative of Saint Vincent and the Grenadines, who will speak on behalf of the Group of Latin American and Caribbean States.

Mr. Gonsalves (Saint Vincent and the Grenadines): I have the honour to speak on behalf of the Group of Latin American and Caribbean States in tribute to the memory of His Excellency Mr. Guido de Marco and His Excellency Mr. Samir Shihabi, Presidents of the General Assembly at its forty-fifth and forty-sixth session, respectively.

To be a President of the General Assembly is to belong to a select and rarefied group of international leaders. Were it possible to assemble all of the General Assembly Presidents past and present, they would not even fill one third of the Hall that we now occupy. These distinguished men and women have all had the singular honour and tremendous responsibility to guide and shape the deliberations of the world's pre-eminent multilateral institution, and each has made an indelible mark on the history of our global village.

It is fitting today that we jointly pay tribute to Presidents De Marco and Shihabi. They were linked in time, not only because one succeeded the other as President, but also because of the times in which they presided. Two decades ago, we were at the dawn of a new era in international relations, when the duopoly of the cold war stasis gave way to the multipolar, multifaceted world in which we now live.

Presidents De Marco and Shihabi were instrumental in guiding the United Nations through those first uncertain moments and in ushering in a new dawn in multilateralism and international cooperation. There could scarcely have been two individuals better suited to their tremendous task at that momentous point in history.

His Excellency President De Marco, a lawyer, diplomat, Foreign Minister and later President of Malta, was a man of such towering importance in his own land that his General Assembly presidency counts as but a chapter in a storied political career. But along with his historic triumphs as a leader in Malta, we must also remember his sterling contributions to this body and to international relations.

His Excellency President Shihabi, also a lawyer, intellect and peerless diplomat, was a pivotal figure in revitalizing and re-energizing the General Assembly. His creation of the Council of Presidents of the General Assembly is testament to his devotion and to his service to the international community. His distinctive presence is also a matter of United Nations lore.

The Group of Latin American and Caribbean States extends its deepest condolences to the families of Presidents De Marco and Shihabi and to the peoples of Malta and Saudi Arabia. We honour the memory of these titans. May their achievements and examples live on in history.

The President (*spoke in Arabic*): I now give the floor to the representative of Canada, who will speak on behalf of the Group of Western European and Other States.

Mr. McNee (Canada): On behalf of the Group of Western European and Other States, I would like to join others in extending to the peoples and the Governments of Malta and Saudi Arabia our deepest condolences on the deaths of President Guido de Marco and His Excellency Ambassador Samir Shihabi. Both were very important figures in their own countries and are fondly remembered for their tireless work in advancing the ideals of the United Nations as Presidents of the General Assembly at its forty-fifth and forty-sixth sessions, respectively.

President De Marco was a distinguished Maltese politician, who served as President of Malta from 1999 to 2004 and who worked tirelessly throughout his career to promote Maltese cooperation with the international community. This included his term as President of the General Assembly in 1990 and his having presided over the accession of Malta to the European Union in 2004. As Ambassador Treki has noted, when President De Marco was President of the General Assembly, he began the important process of revitalization of the Assembly. Following his retirement as President he continued to promote these international ideals through his work as Chairman of the Commonwealth Foundation.

After a very distinguished career as Ambassador of Saudi Arabia to Turkey, Somalia and Pakistan, Ambassador Samir Shihabi was appointed as Permanent Representative of Saudi Arabia to the United Nations in 1983 and was then elected to serve as President of the General Assembly at its forty-sixth session. As Assembly President, Ambassador Shihabi skilfully oversaw a remarkable transition in the membership of the United Nations, helping to ensure the admission of 20 new Member States in an orderly fashion. On a more personal note, I understand that in his last days he enjoyed living in his country home in Portugal, where he took great pleasure in raising bees and producing honey for his friends.

The members of the Group of Western European and Other States offer our gratitude for what those distinguished statesmen gave to the United Nations and offer our sympathies and condolences to their families. Our thoughts and prayers are with them at this difficult time.

The President (*spoke in Arabic*): On behalf of all members of the General Assembly, I shall send letters of condolences to Malta and Saudi Arabia.

I now give the floor to the representative of the Republic of Malta.

Mr. Borg (Malta): May I first of all, Mr. President, extend the appreciation of my delegation for your initiative to convene the General Assembly to honour two of your predecessors, the Presidents of the

Assembly at its forty-fifth and forty-sixth session. I thank you and the Secretary-General for your words of tribute in memory of Professor Guido de Marco, former President of Malta, former Deputy Prime Minister and Minister for Foreign Affairs, and President of the General Assembly at its forty-fifth session.

I would also like to take this opportunity to thank the Chairs of the regional groups for their statements on behalf of the States Members of the Organization. The messages of sympathy and sorry delivered today will be transmitted to the immediate family of Professor De Marco, as well as to the Government and the people of Malta.

Malta has indeed lost a true statesman who loved his country dearly. Professor De Marco was a strong believer in the United Nations, and his legacy as President of the General Assembly at its forty-fifth session will long be cherished by the international community.

May I also take this opportunity to extend Malta's sympathy and profound condolences to the family of the former President of the General Assembly Samir Shihabi.

It seems that destiny wanted one to follow the other in presiding over the General Assembly and for one to hand the gavel to the other. Destiny again played its card when these two eminent personalities went on to the next world, one following the other. May God grant them eternal rest.

The President (*spoke in Arabic*): I now give the floor to the representative of the Kingdom of Saudi Arabia.

Mr. Al Oyaidi (Saudi Arabia) (*spoke in Arabic*): On behalf of Saudi Arabia, I should like, Mr. President, to express to you and to the Secretary-General our thanks for your words of condolence on the death of Mr. Samir Shihabi. He served his country, the Kingdom of Saudi Arabia, and we trust that today he has found rest.

We wish also to express our condolences to the people of Malta on the death of former President Guido de Marco.

I thank the representatives of the regional groups who have offered their condolences.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

The President (*spoke in Arabic*): The General Assembly has before it document A/64/896*, under sub-item (c) of agenda item 111, entitled "Election of thirty members of the United Nations Commission on International Trade Law". Members will recall that the General Assembly concluded its consideration of sub-item (c) of agenda item 111 at its 82nd plenary meeting, on 15 April 2010.

In order to enable the General Assembly to consider sub-item (c) of agenda item 111 it will be necessary to reopen consideration of that sub-item. May I take it that it is the wish of the General Assembly to reopen consideration of sub-item (c) of agenda item 111?

It was so decided.

Agenda item 111 (*continued*)

Elections to fill vacancies in subsidiary organs and other elections

(c) Election of thirty members of the United Nations Commission on International Trade Law

Letter dated 24 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Belarus to the United Nations addressed to the President of the General Assembly (A/64/896*)

The President (*spoke in Arabic*): The Assembly will now proceed to a by-election to elect one member of the United Nations Commission on International Trade Law. Members will recall that at its 35th and 82nd plenary meetings, held on 3 November 2009 and 15 April 2010 respectively, the General Assembly elected 30 members of the United Nations Commission on International Trade Law for a six-year term of office beginning on 21 June 2010.

I would now like to draw the attention of members to document A/64/896*, containing a letter dated 24 August 2010 from the Chargé d'affaires ad interim of the Permanent Mission of Belarus to the United Nations announcing that Belarus would like to relinquish its seat on the United Nations Commission on International Trade Law (UNCITRAL) in favour of

Georgia, on the last day prior to the beginning of the forty-fourth session of the Commission in June 2011.

As a result, a vacancy will occur and a new member must therefore be elected to fill the unexpired term of office of Belarus, commencing in June 2011, the first day of the forty-fourth session of the Commission. The President has been informed that the Group of Eastern European States has endorsed Georgia as the candidate for the one vacancy.

As members are aware, in accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot and there shall be no nominations. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on that basis?

It was so decided.

The President (*spoke in Arabic*): May I therefore take it that the Assembly wishes to declare Georgia elected a member of the United Nations Commission on International Trade Law for a term of office beginning in June 2011, on the first day of the forty-fourth session of the Commission?

It was so decided.

The President (*spoke in Arabic*): I congratulate Georgia on its election as a member of the United Nations Commission on International Trade Law.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 111?

It was so decided.

(f) Election of the Executive Director of the United Nations Human Settlements Programme

Note by the Secretary-General (A/64/897)

The President (*spoke in Arabic*): As stated in the Secretary-General's note (A/64/897), the General Assembly, in its resolution 56/206 of 21 December 2001, decided that the secretariat of the United Nations Human Settlements Programme (UN-Habitat) should be headed by an Executive Director at the level of Under-Secretary-General, to be elected by the Assembly for a term of four years upon nomination by the Secretary-General after consultation with Member States.

In the light of those provisions of General Assembly resolution 56/206, the Secretary-General nominates Mr. Joan Clos (Spain) for election by the Assembly as Executive Director of UN-Habitat, at the level of Under-Secretary-General, for a term of office of four years beginning on 18 October 2010 and ending on 17 October 2014.

Accordingly, may I take it that the General Assembly wishes to elect Mr. Joan Clos as Executive Director of UN-Habitat for a term of office of four years, beginning on 18 October 2010 and ending on 17 October 2014?

It was so decided.

The President (*spoke in Arabic*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (f) of agenda item 111?

It was so decided.

The meeting rose at 10.55 a.m.